

RECEIVED
CENTRAL FAX CENTER

JAN 23 2008

FAX TRANSMISSION

DATE: January 23, 2008

PTO IDENTIFIER: Application Number 10/597,465-Conf. #1513
Patent Number

Inventor: Sonia Annarita Boscolo et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: DARBY & DARBY P.C.

Thomas R. Marquis

PHONE: (206) 262-8900

Attorney Dkt. #: 20410/0205255-USO

PAGES (Including Cover Sheet): 8

CONTENTS:

Certificate of Transmission (1 page)
Communication Regarding Submitted IDS (2 pages)
Substitute PTO Form SB-08a (signed) (4 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (206) 262-8900 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

DARBY & DARBY P.C.

P.O. Box 770, Church Street Station, New York, New York 10008-0770
Telephone: (206) 262-8900 Facsimile: (212) 527-7701

JAN 23 2008

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/597,465

Attorney Docket No.: 20410/0205255-USO

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on January 23, 2008
Date


Signature

Thomas R. Matzulis

Typed or printed name of person signing Certificate

46,900

Registration Number, if applicable

(206) 262-8900

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fax cover sheet (1 page)

Transmittal (1 page)

Communication Regarding Submitted IDS (2 pages)

Substitute PTO Form SB-08a (signed) (4 pages)

JAN 23 2008

Docket No.: 20410/0205255-US0
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Sonia Annarita Boscolo et al.

Application No.: 10/597,465

Confirmation No.: 1513

Filed: April 27, 2007

Art Unit: N/A

For: OPTICAL PULSE REGENERATOR

Examiner: Not Yet Assigned

COMMUNICATION REGARDING SUBMITTED IDSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.97, a supplemental information disclosure statement (IDS) was submitted on January 22, 2008, signed by Applicants' representative. Included with the IDS was a listing of references, as required by 37 CFR 1.98. Applicants listed the references on a form PTO/SB/08a, as encouraged by MPEP § 609. The form PTO/SB/08a was the version that is used for directly filing an IDS through the electronic filing system with an electronic signature. See, e.g., MPEP § 609.08. However, the form PTO/SB/08a was not directly filed as the IDS through the electronic filing system with an electronic signature. Instead, the form PTO/SB/08a was submitted as the listing of references, filed with the IDS using a written signature.

Because the IDS was submitted before the mailing date of a first office action on the merits, a statement pursuant to 37 CFR 1.97(e) was not required, and was not made. However, the form PTO/SB/08a included a certification statement page, which was also submitted with the IDS. The certification statement page correctly indicated that no statement was being made. Although the IDS, which includes the form PTO/SB/08a, was signed in compliance with 37 CFR 1.33, 10.18, and 1.4(d), a substitute form PTO/SB/08a is submitted herein, with the certification page signed by

{S:\20410\0205255us0\80154158.DOC [REDACTED]}

JAN 23 2008

Application No.: 10/597,465

Docket No.: 20410/0205255-US0

Applicants' representative. This substitution form PTO/SB/08a is also submitted as a listing of references, to be included with the IDS, and this substitution form PTO/SB/08a is signed simply to ensure there is no question that the IDS was properly submitted. Per 37 CFR 1.97(f), a bona fide attempt was made to comply with 37 CFR 1.98. Accordingly, Applicants respectfully request that this substitution form PTO/SB/08a be entered with the IDS filed January 22, 2008.

Applicants believe that no fee is required. However, if a fee is needed, such fee is authorized to be taken from deposit account 04-0100, up to \$300. Any overcharge may be refunded to the same deposit account.

Dated: January 23, 2008

Respectfully submitted,

By


Thomas R. Marquis

Registration No.: 46,900

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(206) 262-8900

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant